

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
WDNC Civil Action No. 3:18-cv-238**

ARMSTRONG TRANSPORT GROUP,  
INC.,

Plaintiff,

v.

BAXTER BAILEY & ASSOCIATES, INC.  
AND PG SPECIALIZED CARRIERS,  
LLC,

Defendants.

**FOURTH JOINT MOTION TO MODIFY DEADLINES**

Defendants, Baxter Bailey & Associates, Inc. (“Baxter Bailey”) and PG Specialized Carriers, LLC, (“PGS”) and Plaintiff, Armstrong Transport Group, Inc. (“Armstrong”) by and through their respective counsel, move for modification of the discovery deadline dates set by the Text-Only Order dated September 20, 2019 and in support aver as follows:

1. Since the last modification to the case management order, the court granted leave to amend the complaint for Armstrong to add five additional causes of action against Baxter Bailey. Armstrong filed the amended complaint (ECF No. 26) and the defendants’ answered the amended complaint on December 23, 2019. (ECF No. 29). Furthermore, the parties reached an impasse regarding outstanding discovery disputes and, pursuant to Judge Mullen’s instructions before this matter was reassigned, Baxter Bailey filed a motion to compel which remains pending. (*See* ECF No. 27).

2. Pursuant to LCVR 16.1(a), counsel for the defendants conferred with Armstrong's counsel regarding the need to modify the scheduling order based upon the filing of Armstrong's amended complaint. During the conference, counsel for Armstrong explained that Armstrong's general counsel, and outside counsel's chief liaison regarding this litigation, is expecting and anticipates being out for maternity leave between April and July 2020. In light of this factor, the parties believe extending the deadlines past the prospective maternity leave mitigates any delay or barrier which may exist in conducting discovery of Armstrong. As such, the parties agreed upon the following modifications to the scheduling order:

<u>Deadline</u>	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Defendants' Expert Report Deadline	December 31, 2019	August 31, 2020
Discovery Completion Deadline	January 31, 2020	September 30, 2020
Motions Deadline	February 28, 2020	October 31, 2020
ADR Mediation Deadline	February 10, 2020	October 10, 2020
Trial	June 15, 2020	February 2021

3. For these reasons, good cause exists for extending the deadlines as set forth above.

**WHEREFORE**, the parties respectfully request that the Court enter an Order modifying its September 20, 2019 Order and extending the deadlines for expert reports, discovery completion, motions, mediation, and trial.

Respectfully submitted this 7th day of January, 2019.

**KEENAN COHEN & MERRICK P.C.**

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